

New PA State Construction Notice Directory Presentation

prepared for IFCA by

STEVENS & LEE
LAWYERS & CONSULTANTS

A STEVENS & LEE/GRIFFIN COMPANY 

PENNSYLVANIA'S NEW STATE CONSTRUCTION NOTICES DIRECTORY

OVERVIEW - FEBRUARY 2017

- On and after January 1, 2017, Pennsylvania construction projects costing over \$1.5 million can be registered on the new Pennsylvania State Construction Notices Directory website (“Directory”) by the filing of a “Notice of Commencement.”
- The Directory is operated by the Pennsylvania Department of General Services and is located at <https://apps.pa.gov.scnd>.
- A Notice of Commencement must be filed before any work on the project begins, must be posted at the jobsite and must be contained in the contract documents.
- If a Notice of Commencement is filed on the Directory, a subcontractor must file a “Notice of Furnishing” on the Directory within 45 days of the subcontractor first performing work on or supplying materials to the jobsite or the subcontractor will forfeit its mechanics’ lien rights.
- This is a substantial change in Pennsylvania’s Mechanics’ Lien Law from a subcontractor’s perspective. Notice must now be given at the beginning of the job, not merely at the end when there is a payment problem.
- The filing of a Notice of Furnishing is NOT a substitute for complying with all of the other notice, timing and filing requirements of the Pennsylvania Mechanics’ Lien Law.
- It is illegal for an owner or general contractor to discourage a subcontractor from filing a Notice of Furnishing.
- For more detailed information on the new Directory, see Stevens & Lee’s February 6, 2017 Power Point Presentation on IFCA’s website.
- If you have any questions about the Directory or Pennsylvania’s Mechanics’ Lien Law, please call Steve Adams of Stevens & Lee at (610) 478-2133 or email him at sja@stevenslee.com.

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STATE CONSTRUCTION NOTICES DIRECTORY



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Create Account

Business Information

Business Name Street Address
 City State Zip Code
 Phone Fax optional

In order to continue, please address these errors:

Contact Information

This person will be identified as the filer for any notices submitted with this user account.

First Name Last Name

In order to continue, please address these errors:

Credentials

Email Confirm Email Password Confirm Password

In order to continue, please address these errors:

Terms and Conditions

I Agree to the Terms and Conditions

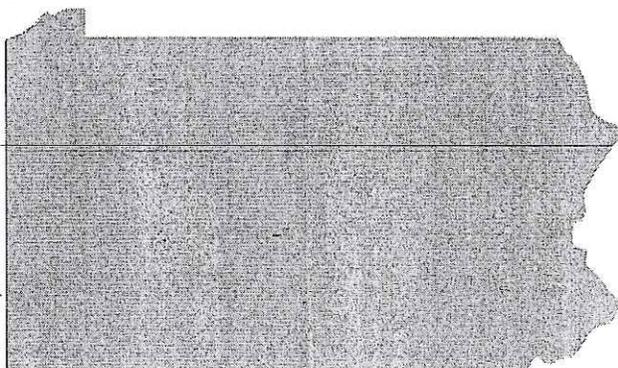
In order to continue, please address these errors:

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Terms and Conditions

The Pennsylvania State Construction Notices Directory stores information provided by property owners or their agents, and also contractors and subcontractors; therefore the Department of General Services is not responsible for the accuracy of the information provided in the Directory. The following Terms and Conditions govern access and use of the Pennsylvania State Construction Notices Directory and should be read carefully. Materials presented on this website should not be considered legal advice as all legal questions should be directed to a licensed attorney.

- **1. Account:** You are responsible for maintaining the confidentiality of your account, password and for restricting access to your computer. You also agree to assume responsibility for all activities that occur under any account or password that you maintain in regard to the Pennsylvania State Construction Notices Directory. A contractor may act as agent for the Searchable Project Owner and file a Notice of Commencement for the Searchable Project Owner of a Searchable Project if specifically authorized by contract and the Searchable Project Owner assumes responsibility for the contractor's actions.
- **2. Unlawful Acts:** It shall be unlawful for a Searchable Project Owner or the Searchable Project Owner's Agent, a contractor or subcontractor to suggest, request, encourage or require that a subcontractor not file a Notice of Furnishing as a condition of entering into, continuing, receiving or maintaining a contract for work or furnishing of materials on a Searchable Project. A person that violates this subsection commits a misdemeanor of the second degree.
- **3. Abuse:** A person abuses the directory if the person files a notice in the directory: Without a good faith reason to do so; with the intent to exact more payment than is due from the Searchable Project Owner or other party; to obtain an unjustified advantage or benefit.
- **4. Damages:** A person who abuses the directory under subsection (d) shall be liable for the amount of actual damages or \$2,000, whichever is greater.



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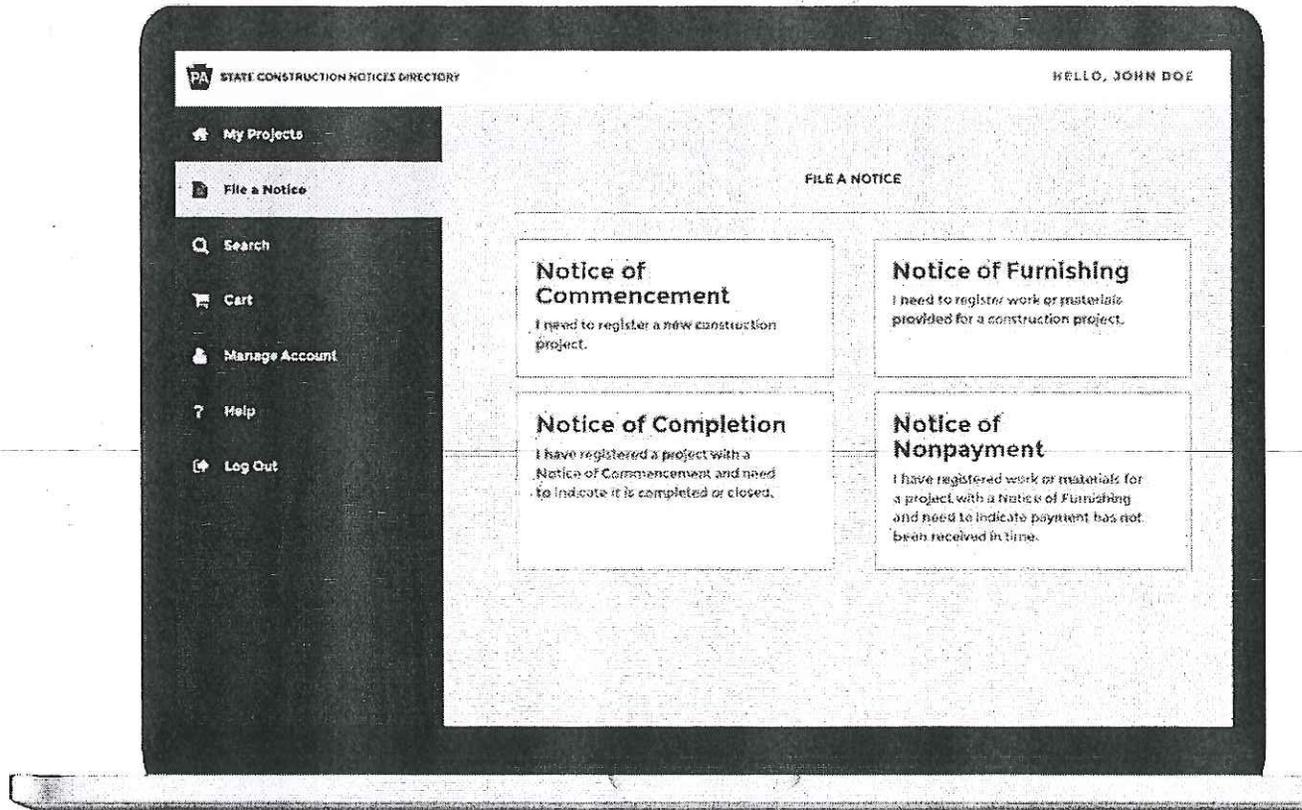
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Pennsylvania State Construction Notices Directory

Register and file notices for Searchable Projects

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Why File?

The Pennsylvania State Construction Notices Directory was created in accordance with Act 142 of 2014 (49 P.S. §§ 1501.1 – 1501.6) which provides some additional protections under the Mechanics' Lien Law. This Directory provides Searchable Project Owners or their agents, contractors and subcontractors with a **convenient online platform to access, register and file construction notices** on Searchable Projects.

In order for the additional protections under the Mechanics' Lien Law to be effective, a Searchable Project Owner engaging in a project consisting of the erection and construction, or alteration or repair, of an improvement costing a minimum of one million five hundred thousand dollars (\$1,500,000) needs to adhere to the Act which includes, but is not limited to, registering projects by filing a Notice of Commencement in the State Construction Notices Directory and including in their contracts for the Searchable Project the specific language noted in the Mechanics' Lien Law (49 P.S. § 1501.2).

Who can file?

Searchable Project Owners
Searchable Project Owner's Agent

Subcontractors

Searchable Project Owners, Searchable Project Owner's Agents, contractors acting as agents for the Searchable Project Owners, and subcontractors are able to:

- create an account and login to file notices for construction projects
- view project details
- download notice documents

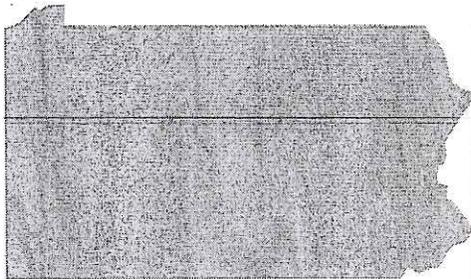
When do I file?

Prior to the commencement of labor, work or the furnishing of materials for a Searchable Project a Searchable Project Owner, Searchable Project Owner's agent, and/or a contractor acting as an agent for the Searchable Project Owner may file a Notice of Commencement with the directory. Within forty-five (45) days of the actual completion of work on a Searchable Project, a Searchable Project Owner, Searchable Project Owner's agent, and/or a contractor acting as an agent for the Searchable Project Owner may file a Notice of Completion in the directory to be indexed with the original Notice of Commencement for informational purposes only.

Within forty-five (45) days after first performing work or services at the job site or first providing materials to the job site in connection with the Searchable Project a subcontractor or their representative shall file a Notice of Furnishing if a Notice of Commencement has been filed and posted by the Searchable Project Owner, Searchable Project Owner's agent, and/or a contractor acting as an agent for the Searchable Project. Subcontractors who have not received full payment for their work, or for goods or services, on a Searchable Project may file a Notice of Nonpayment with the Searchable Project Owner, Searchable Project Owner's agent, contractor acting as an agent for the Searchable Project or the subcontractor in the directory for informational purposes only.

Additional Information

- The Pennsylvania State Construction Notices Directory stores information provided by property owners or their agents, and also contractors and subcontractors; therefore the Department of General Services is not responsible for the accuracy of the information provided in the Directory.
- Materials presented on this website should not be considered legal advice as all legal questions should be directed to a licensed attorney.
- Please be advised that the State Construction Notices Directory is not a substitute for legal filing or any other requirements as defined by the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963.



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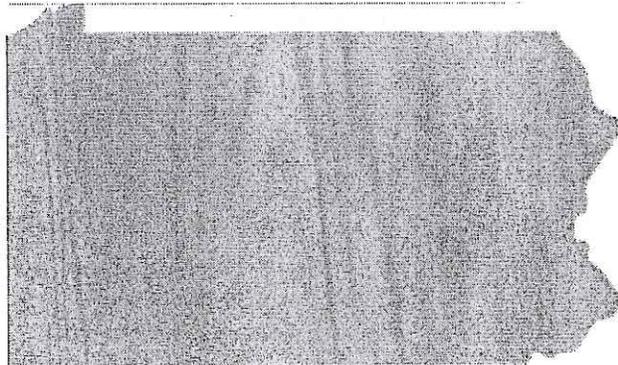
Search

Recently Added Searchable Projects

| Notice Id | Searchable Project Name | Searchable Property Owner | Date | Property Address | County | Details |
|--------------|--|------------------------------------|-----------|---------------------------------------|------------|---------|
| SCCM00000019 | Cool Springs Assisted Living | KJ Bethel Park LLC | 2/6/2017 | Bethel Park 2862 | Allegheny | |
| SCCM00000018 | CPV Fairview Energy Center | CPV Fairview, LLC | 2/5/2017 | William Penn Avenue Johnstown | Cambria | |
| SCCM00000016 | Park Place by The Shoppes at Southpointe, LLC | The Shoppes at Southpointe, LLC | 2/1/2017 | 1500 Main Street Canonsburg | Washington | |
| SCCM00000015 | South Fayette Fairfield Inn & Suites by Marriott | South Fayette Hotel Associates, LP | 2/1/2017 | 111 Hickory Grade Road Bridgeville | Allegheny | |
| SCCM00000014 | Viewmont Mall Home Goods Construction | PR Viewmont LP | 1/26/2017 | 100 Viewmont Mall Scranton | Lackawanna | |
| SCCM00000013 | 2010 N. Broad Street | 2010 Realty Partners, LLC | 1/25/2017 | 2010 North Broad Street Lansdale | Montgomery | |
| SCCM00000011 | Dick's Sporting Goods/Field & | Dick's Sporting Goods | 1/18/2017 | 440 Viewmont | Lackawanna | |

| Notice Id | Searchable Project Name | Searchable Property Owner | Date | Property Address | County | Details |
|--------------|-----------------------------------|----------------------------|------------|--|--------------|---------|
| | Stream Combo Store #4618 | | | Drive Scranton 3816-3836 | | |
| SCCM00000010 | Hamilton Court Retail Renovations | Stratford Hamilton LP | 1/16/2017 | Chestnut Street Philadelphia | Philadelphia | |
| SCCM00000007 | United Business Park - Lot 6 | Matrix Shippensburg II, LP | 1/3/2017 | United Drive Shippensburg | Franklin | |
| SCCM00000006 | Boyd's 2017 Renovation | BOYD'S L.P. | 12/30/2016 | 1818-1820 Chestnut Street Philadelphia | Philadelphia | |

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Project Detail

Project ID: SCCM00000010

Notice History

| Date | Notice Type | Filed By | PDF |
|------------|------------------------|-----------------------------|-----|
| 01/16/2017 | Notice of Commencement | Stratford Hamilton LP | |
| 01/19/2017 | Notice of Furnishing | K.E. Seifert, Inc. | |
| 02/02/2017 | Notice of Furnishing | BM Consulting Services Inc. | |

Property Owner

NameStratford Hamilton LP

Address1 Winding Drive, Suite 200
Philadelphia, PA 19131

Phone(215) 277-2367

Emailcdesalvo@postcre.com

Contractor

NameH.C. Pody Company

Address946 Simons Avenue
Bensalem, PA 19020

Phone(215) 639-2027

Emailhughpody@hcpody.com

Project

Project Name Hamilton Court Retail Renovations

Building Permit # 716662
741837

Address 3816-3836 Chestnut Street
Philadelphia, PA 19104-3107

Counties Philadelphia

Parcel Tax ID(s) 88-111-7000





Commonwealth of Pennsylvania

State Construction Notices Directory
Notice of Commencement ID:
SCCM00000010

Searchable Project Owner

Business Name: Stratford Hamilton LP
Business Address: 1 Winding Drive, Suite 200
Philadelphia, PA 19131
Phone: (215) 277-2367
Email: cdesalvo@postcre.com
Contact: Christian DeSalvo

Searchable Project Detail

Searchable Project Name: Hamilton Court Retail Renovations
Searchable Project Address: 3816-3836 Chestnut Street
Philadelphia, PA 19104-3107
County: Philadelphia
Parcel Tax ID: 88-111-7000
Building Permit Number: 716662, 741837

Searchable Project Owner's Agent / Contractor

Business Name: H.C. Pody Company
Business Address: 946 Simons Avenue
Bensalem, PA 19020
Phone: (215) 639-2027
Email: hughpody@hcpody.com
Contact: Hugh Pody

Payment / Performance Bond Detail

Not Applicable

Terms and Conditions

As a searchable project owner and/or as an authorized agent of a searchable project owner, by filing this Notice of Commencement as defined by Pennsylvania Act No. 2014-142, House Bill 473, I agree with and understand the following:

Prior to the commencement of labor, work or the furnishing of materials for a searchable project that may give rise to a mechanics' lien under this act, the searchable project owner or agent of the searchable project owner may file a Notice of Commencement with the directory.

A contractor may act as agent for the searchable project owner and file a Notice of Commencement for the searchable project owner of a searchable project if specifically authorized by contract and the searchable project owner assumes responsibility for the contractor's actions.

The searchable project owner shall conspicuously post a copy of the Notice of Commencement at the site of a searchable project before physical work commences on the project to include the unique identifying number assigned.

The searchable project owner shall take reasonable measures to ensure that the Notice of Commencement remains posted at the searchable project site until completion of the project. For the purposes of this paragraph, the term "reasonable measures" means the reposting of notice by the searchable project owner within forty-eight (48) hours after becoming aware of or being notified verbally, in writing or by e-mail that the notice is not posted.

The searchable project owner and the contractor shall make reasonable efforts to ensure that the Notice of Commencement is made part of contract documents provided to all subcontractors awarded work on the searchable project.

Printing this notice constitutes a certified hard copy printing of your electronic receipt as defined by Pennsylvania Act No. 2014-142, House Bill 473.

Pennsylvania State Construction Notices Directory

<http://scnd.apps.pa.gov>

Notice of Commencement ID: SCCM00000010 Date Filed: 1/16/2017 14:41 GMT -05:00



Commonwealth of Pennsylvania

State Construction Notices Directory

Notice of Commencement ID:

SCCM00000010

Legal Description:

3816-36 Chestnut Street Philadelphia PA 19104-3107



Commonwealth of Pennsylvania

State Construction Notices Directory
Notice of Furnishing ID:
SCFN00000012

Searchable Project Owner

Business Name: Stratford Hamilton LP
Business Address: 1 Winding Drive, Suite 200
Philadelphia, PA 19131
Phone: (215) 277-2367
Email: cdesalvo@postcre.com
Contact: Christian DeSalvo

Searchable Project Detail

Searchable Project Name: Hamilton Court Retail Renovations
Searchable Project Address: 3816-3836 Chestnut Street
Philadelphia, PA 19104-3107
County: Philadelphia
Parcel Tax ID: 88-111-7000
Building Permit Number: 716662, 741837

Searchable Project Owner's Agent / Contractor

Business Name: H.C. Pody Company
Business Address: 946 Simons Avenue
Bensalem, PA 19020
Phone: (215) 639-2027
Email: hughpody@hcpody.com
Contact: Hugh Pody

Payment / Performance Bond Detail

Not Applicable

Hiring Entity

Business Name: Stratford Hamilton LP
Business Address: 1 Winding Drive, Suite 200
Philadelphia, PA 19131
Phone: (215) 277-2367
Email: cdesalvo@postcre.com
Contact: Christian DeSalvo

Subcontractor

Business Name: K.E. Seifert, Inc.
Business Address: 155 North Green Street
Langhorne, PA 19047
Phone: (215) 752-9080
Email: stephanie.morrison@keseifert.com
Contact: Kevin Seifert

Description of Labor or Materials provided by Subcontractor:

HVAC & Plumbing

To:

Stratford Hamilton LP:
1 Winding Drive, Suite 200
Philadelphia, PA 19131:
Christian DeSalvo

Please take notice that the undersigned is performing certain work or labor or furnishing certain materials To

Stratford Hamilton LP
1 Winding Drive, Suite 200
Philadelphia, PA 19131
in connection with the improvement to the real property located at
3816-3836 Chestnut Street
Philadelphia, PA 19104-3107

The labor, work or materials were performed or furnished first, or will be furnished first, on 1/9/2017 05:00 GMT -05:00.

By
K.E. Seifert, Inc.
155 North Green Street
Langhorne, PA 19047

1/19/2017 15:51 GMT -05:00



Commonwealth of Pennsylvania

State Construction Notices Directory

Notice of Furnishing ID:

SCFN00000012

Terms and Conditions

As a subcontractor or an authorized representative of a subcontractor, by filing this Notice of Furnishing as defined by Pennsylvania Act No. 2014-142, House Bill 473, I agree with and understand the following:

I am a subcontractor or an authorized representative of a subcontractor that is performing/performed work or services or am providing/provided material in furtherance of a searchable project and am completing this filing in direct relation to a Notice of Commencement filed and posted by a searchable project owner or searchable project's agent within the State Construction Notices Directory.

I am filing a Notice of Furnishing within forty-five (45) days after first performing work or services at the job site or first providing materials to the job site in connection with the searchable project.

I have accurately provided a general description of the labor or materials furnished; the full name and address of the person supplying the services; the full name and address of the person that contracted for the services; and a description sufficient to identify the searchable project based on the description in the Notice of Commencement.

Printing this notice constitutes a certified hard copy printing of your electronic receipt as defined by Pennsylvania Act No. 2014-142, House Bill 473.

Pennsylvania State Construction Notices Directory

<http://scnd.apps.pa.gov>

Notice of Commencement ID: SCCM00000010 Date Filed: 1/16/2017 14:41 GMT -05:00

Notice of Furnishing ID: SCFN00000012 Date Filed: 1/19/2017 15:51 GMT -05:00



Commonwealth of Pennsylvania

State Construction Notices Directory

Notice of Furnishing ID:

SCFN00000012

Legal Description:

3816-36 Chestnut Street Philadelphia PA 19104-3107